ACTION SWCI-00

INFO LOG-00 NP-00 CIAE-00 INL-00 USNW-00 PERC-00 DS-00
FBIE-00 VC-00 TEDE-00 INR-00 IO-00 L-00 VCE-00
M-00 NEA-00 DCP-01 NSAE-00 DHS-00 PA-00 TFBI-00
SCT-00 SSO-00 SS-00 ASDS-00 DSCC-00 PRM-00 DRL-00
G-00 NFAT-00 SAS-00 /001W

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O 110542Z SEP 03
FM AMEMBASSY KUWAIT
TO SECSTATE WASHDC IMMEDIATE 9850
INFO IRAQ COLLECTIVE IMMEDIATE
NSC WASHDC IMMEDIATE
DEPT OF JUSTICE WASHDC IMMEDIATE
SECDEF WASHDC IMMEDIATE
JOINT STAFF WASHINGTON DC//J3// IMMEDIATE
CJCS WASHINGTON DC IMMEDIATE
USCENTCOM MACDILL AFB FL//CCDC/CCJ3/CCJ5// IMMEDIATE
USCENTCOM FWD IMMEDIATE
COMCFLCC HQS FT MCPHERSON GA IMMEDIATE
COMCFLCC DOHA KUWAIT KU//C3/C9// IMMEDIATE
CDRCJTF7 DOHA KUWAIT KU IMMEDIATE
HQ COALITION PROVISIONAL AUTH BAGHDAD IMMEDIATE

RELEASED IN PART
B1, 1.4(B), 1.4(D)

C O N F I D E N T I A L KUWAIT 004212

STATE FOR S/WCI, NEA/NGA, NEA/ARP

E.O. 12958: DECL: 09/07/2013
TAGS: PREL, PHUM, KJUS, PTER, IZ, KU
SUBJECT: (U) AMBASSADOR PROSPER DISCUSSES IRAQI WAR CRIMES, GUANTANAMO

Classified By: (U) CDA FRANK URBANCIC; REASON: 1.5 (B,D)

1. (C) SUMMARY: S/WCI Ambassador Pierre Prosper met September 6 with MFA, family-members of Kuwaiti detainees at Guantanamo, National Committee for Missing and POW Affairs (NCMPA), and Task Force Hope (TFH, the Kuwaiti interagency team searching for missing persons in Iraq). Local media reported on the visit. On Iraq, Amb. Prosper stressed the USG's commitment to bringing Iraqi war criminals to justice, with Iraqis taking the lead in prosecuting them. [redacted] B1

TFH and NCMPA both praised Coalition support for their work and sought help in resolving specific issues (detailed below) including access to information from former Iraqi officials

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in custody. [redacted] B1

2. (C) Guantanamo detainees' family-members affirmed their support for the US against terrorism, while insisting that their relatives are innocent. They appreciated Amb. Prosper's briefing on efforts to accelerate disposition of each detainee one of three ways (US prosecute, US return to home country for investigation/prosecution, or release), but said the US is being unrealistic in striving for perfect knowledge before releasing the innocent. They also said mail is not getting through, and asked to hear their loved ones' voices. [redacted] B1

END SUMMARY.

3. (C) Meetings: Ambassador Prosper met first with MFA Director of Follow-Up and Coordination, Ambassador Khaled Maqamis, who then chaired a meeting with eleven family-members of Guantanamo detainees [redacted] B1 Amb. Prosper then met with the Acting Chairman of NCMPA, Dr. Sultan al-Khalaf. Later in the day, he met with Colonel Mohammed al-Amiri, commander of Task Force Hope.

(U) IRAQI WAR CRIMES

4. (C) Amb. Prosper told Maqamis that we want Iraqis to take the lead in prosecuting Iraqi war criminals. He asked if Kuwait wanted a role. [redacted] B1

5. (C) Ambassador Prosper visited NCMPA, which is devoted to accounting for 605 persons (572 Kuwaitis and 33 persons from 8 other nationalities) missing since the end of the Iraqi occupation in 1991. Acting Chairman Dr. al-Khalaf briefed that 23 sets of remains have been positively identified. [redacted] B1

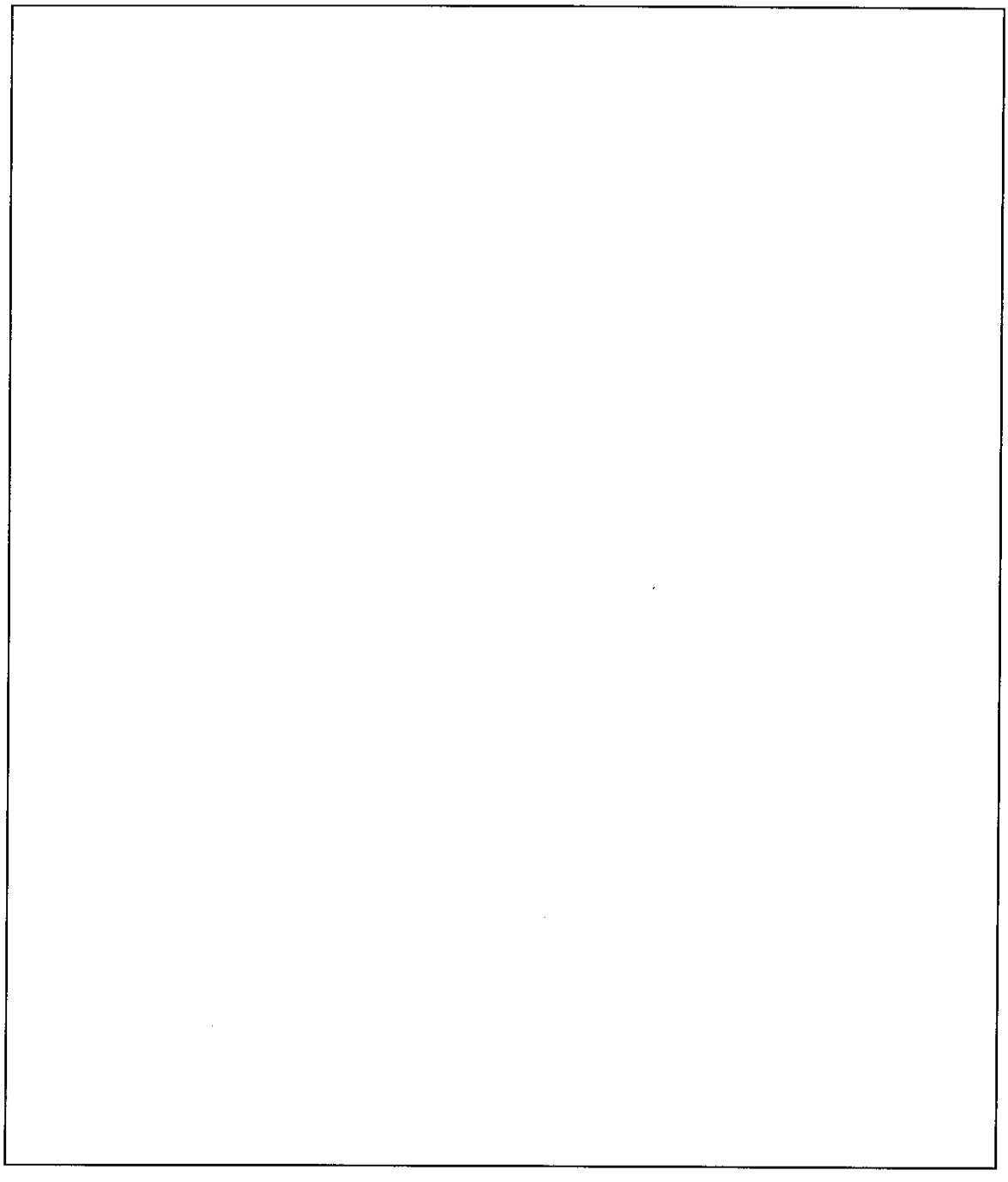
[redacted]

B1

6. (C) In late afternoon, Amb. Prosper met with Task Force Hope commander Col. Amiri, spokesman Fayez al-Enezi and Sami al-Rushoud ("responsible for mass graves in Kuwait"). Task Force Hope (TFH) is Kuwait's interagency team assigned to search in Iraq for information on the missing. Amiri stressed that TFH includes the missing US naval aviator, Captain Michael Scott Speicher, among those it seeks to trace.

[redacted]

B1



B1

(U) GUANTANAMO

8. (C) Amb. Prosper told Maqamis that he was working hard to accelerate the process of evaluating the Guantanamo detainees individually, and to dispose of each case in one of three ways: US prosecute, return to home country for

investigation/prosecution, or release. He said the USG is eager for more foreign help in evaluating the information provided by the detainees and the level of threat each one posed. In this context, the US has invited Kuwait to send a second team to Guantanamo. [redacted] B1
[redacted] Amb. Prosper suggested the team visit Washington on the way home, to review the twelve Kuwaiti cases with appropriate US officials. He also suggested that a prosecutor be added to the team. [redacted] B1
[redacted] Amb. Prosper indicated that this issue is still being worked on within the USG.

9. (C) The detainees' family-members were cordial and respectful, highly appreciative of Amb. Prosper's willingness to meet with them, and eager to stress their opposition to terrorism. They maintained that their detained kinsmen were innocent, claiming that some Afghans had "sold" Arabs to the Americans for reward money, whether or not they had anything to do with Al-Qaeda or the Taliban. [redacted] said the USG was striving for unachievable perfect knowledge before releasing innocent captives. He had the impression that investigations of the detainees had begun only after pressure from the State Department, human rights organizations and the international community. He wanted to know where the Kuwaitis were being held ("high-security Camps Delta 1-3 or medium-security Camp Delta 4?"). He could not understand why the US was keeping juveniles at Guantanamo, or why it was building a fifth camp. He pleaded for improved mail delivery ("letters are not getting through") and for telephone calls to the Kuwaiti detainees ("we just want to hear their voices; you can monitor the calls, we won't talk about anything sensitive"). B1
[redacted] too asked whether there was a draft agreement prepared by the USG governing transfer of detainees to their home countries. B1

10. (C) Amb. Prosper repeated his explanation of the

decision-process for each detainee, and said he was pushing the system to focus on the Kuwaitis, among others. He explained that there are over 650 individuals detained at Guantanamo from some 44 countries. In many cases, they have claimed to be innocent, but evidence has emerged indicating that they are members of Al-Qaeda. Some openly say they will commit terrorist acts if released. The investigative process is long, because the detainees' statements have to be checked out, often in several countries. Six detainees have been selected for prosecution at Guantanamo, some have been turned over to their home countries, and over 60 have been released, mostly Afghans and Pakistanis. This is no surprise: someone who really was just a cook or a driver, rather than a member of Al-Qaeda or the Taliban, would most likely be from the local community.

11. (C) Amb. Prosper said he had visited Guantanamo twice, most recently about six weeks earlier. Nobody is being tortured or abused; all detainees are receiving good, humane treatment. Some live in groups and play sports, all receive full medical care "from eyeglasses to reconstructive surgery" and three culturally-appropriate meals per day. The average weight gain is 13 pounds. They have the Quran and can worship. "Their biggest problem is that they are not free to leave." Two of the three juveniles could be released as soon as suitable shelter is found for them so that they do not become fighters again, but the psychologists say their

departure would be devastating for the third, who is not ready for release (all three live together; formerly illiterate, they now have a teacher). The USG has a weekly interagency meeting on this issue, involving the White House and the State, Defense, and Justice Departments. The construction of new facilities does not imply that we wish to keep all current inmates indefinitely: the Global War On Terrorism is continuing, so we may need to bring more people to Guantanamo, even if we release many who are there now.

12. (C) COMMENT: Amb. Prosper's visit was well received by the GOK, and we are certain that the families of the Guantanamo detainees genuinely appreciated his taking the time to meet and listen to them.

B1

13. (U) Baghdad minimize considered.
URBANCIC